

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,868	09/507,868 02/22/2000		Harald Lichtinger	99P7471US01	2972
24500	7590	11/21/2002			
JEFFREY	P. MORF	us	EXAMINER		
SIEMENS CORPORATION 186 WOOD AVENUE SOUTH				MCCALL, ERIC SCOTT	
ISELIN, NJ	08830		ART UNIT PAPER NUMBER		
				2855	
				DATE MAILED: 11/21/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

4		Me Me				
	Application No.	Applicant(s)				
Advisory Action	09/507,868	LICHTINGER ET AL.				
· ·	Examiner	Art Unit				
	Eric S. McCall	2855				
The MAILING DATE of this communication app	ears on the cover sheet with the	correspondence address				
THE REPLY FILED 06 November 2002 FAILS TO PLA Therefore, further action by the applicant is required to final rejection under 37 CFR 1.113 may only be either: (condition for allowance; (2) a timely filed Notice of Appe Examination (RCE) in compliance with 37 CFR 1.114.	avoid abandonment of this appl (1) a timely filed amendment wh	ication. A proper reply to a nich places the application in				
PERIOD FOR R	EPLY [check either a) or b)]					
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) they raise the issue of new matter (see Note below);						
(c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) ☐ they present additional claims without canceling ₃ corresponding number of finally rejected claims. NOTE:						
3. Applicant's reply has overcome the following rejection	ction(s):					
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.						
6. The affidavit or exhibit will NOT be considered be raised by the Examiner in the final rejection.	ecause it is not directed SOLEL	Y to issues which were newly				
7. For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims we						
The status of the claim(s) is (or will be) as follows	5 :					
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected:						
Claim(s) withdrawn from consideration:						
8. The proposed drawing correction filed on i	s a)□ approved or b)□ disa _l	pproved by the Examiner.				
9. Note the attached Information Disclosure Statem	ent(s)(PTO-1449) Paper No(s).	·				
10. Other:		1 111111				
		Eric S. McCall Primary Examiner Art Unit: 2855				

U.S. Patent and Trademark Office

Continuation of 5. does NOT place the application in condition for allowance because: With respect to the declaration, the declaration is deemed defective for the reasons as stated in the final office action. The Applicant's response has been considered but has not been found to be persuasive. The Examiner points out that the PO address of each inventor "as identified by the declaration" is not complete. For example, no zip code has been given for the first inventor. With respect to the Applicant's arguments regarding the art rejection, the arguments have been considered but have not been found to be persuasive because the prior art does teach the sensor mounted on one of the tracks as required by claim 1. Furthermore, the Examiner points out that the first track as required by claim 21 is not the same as the first track as required for claim 19. The first track as required by claim 21 is the first track as defined by claim 1 which is defined differently than the first track of claim 19. Thus, the rejections as applied are deemed proper.